

Attorneys for Defendant Databricks, Inc.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

CLUDERA, INC.,	)	CASE NO.: 4:21-cv-01217-HSG
	)	
Plaintiff,	)	<b>JOINT STIPULATION EXTENDING</b>
	)	<b>BRIEFING SCHEDULE; [PROPOSED]</b>
	)	<b>ORDER</b>
v.	)	
	)	Amended Complaint Filed: January 28,
DATABRICKS, INC.,	)	2021
	)	
Defendant.	)	
	)	Hon. Haywood S. Gilliam, Jr.
	)	
	)	CTRM: Oakland Courthouse, Courtroom 2 –
	)	4th Floor

**JOINT STIPULATION EXTENDING BRIEFING SCHEDULE**

PLEASE TAKE NOTICE that, pursuant to Civil L.R. 6-2 and 7-12, Plaintiff Cloudera, Inc. (“Cloudera”), and Defendant Databricks, Inc. (“Databricks”) (referred to herein as the “Parties”), hereby stipulate and agree as follows:

WHEREAS, on January 8, 2021, Cloudera filed its original Complaint against Databricks and Defendant Richard Doverspike (“Doverspike”) in the District Court of the Northern District of Georgia, captioned *Cloudera, Inc. v. Databricks, Inc., et al.*, No. 1:21-cv-00108-ELR (N.D. Ga.) (“Georgia Action”);

WHEREAS, on January 14, 2021, Databricks moved to dismiss the claims asserted against it in the original Complaint and also moved to stay the Georgia Action pending resolution of an arbitration between Cloudera and Doverspike or, in the alternative, to transfer the Georgia Action to this Court;

WHEREAS, on January 27, 2021, Cloudera filed an Amended Complaint against Databricks and Doverspike;

WHEREAS, on February 10, 2021, Databricks filed a Motion to Dismiss the Amended Complaint (the “Motion”) as to the claims asserted against it;

WHEREAS, under the Local Rules of the Northern District of Georgia, Cloudera had until February 24, 2021 to respond to Databricks’s Motion in the Northern District of Georgia;

WHEREAS, on February 18, 2021, the Georgia court granted Databricks’s motion to transfer the action to the Northern District of California;

WHEREAS, on February 19, 2021, the present case was transferred to the Northern District of California and assigned to Magistrate Judge Sallie Kim.

WHEREAS, on February 24, 2021, the present case was reassigned to the Honorable Judge Haywood S. Gilliam.

1 WHEREAS, due to the transfer and reassignment of the case, the Parties have agreed to a  
2 briefing schedule for Databricks's Motion to Dismiss the Amended Complaint giving Cloudera until  
3 April 23, 2021 to respond to the Motion and Databricks until May 7, 2021 to file a reply;

4 WHEREAS, the Parties also have agreed to a deadline for completing a Rule 26(f)  
5 conference; and  
6

7 WHEREAS, the only prior time modifications sought in this case have been (1) to extend  
8 Cloudera's time to respond to Databrick's transfer motion by one day, and (2) to extend the Parties'  
9 obligation to submit a Joint Discovery Plan in the Georgia Action until 14 days after a ruling on  
10 Databricks's transfer motion.

11 IT IS HEREBY STIPULATED AND AGREED, pursuant to Civil Local Rule 6-1(b), by and  
12 between the undersigned counsel for the undersigned parties, subject to approval by the Court as  
13 follows:  
14

15 1. The Parties shall complete a Rule 26(f) conference on or before April 27, 2021.  
16 2. Cloudera's time to file a response in opposition to Databricks's Motion to Dismiss the  
17 Amended Complaint is April 23, 2021, without prejudice to the right of any party to seek further  
18 adjustment to the briefing schedule based on future developments.

19 3. Databricks's time to file a reply in support of the above stated Motion is May 7, 2021,  
20 without prejudice to the right of any party to seek further adjustment to the briefing schedule based  
21 on future developments.  
22

23 4. The parties jointly request the Motion to be set for hearing on June 24, 2021, at 2:00  
24 p.m., or as soon thereafter as the matter may be heard at the above-entitled Court, located at the  
25 Oakland Federal District Courthouse, 1301 Clay Street, Courtroom 2, Fourth Floor, Oakland,  
26 California 94612.  
27  
28

DATED: March 17, 2021

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Amy K. Van Zant

Amy K. Van Zant

Attorneys for Plaintiff Cloudera, Inc.

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ Lance A. Etcheverry

Lance A. Etcheverry

Attorneys for Defendant Databricks, Inc

## ATTESTATION

I, Lance A. Etcheverry, am the ECF User whose ID and password are being used to file this Joint Stipulation Extending Briefing Schedule. In compliance with Civil Local Rule 5-1(i), I hereby attest that concurrence in the filing of this document has been obtained from each of the signatories.

By: Lance A. Etcheverry

Lance A. Etcheverry

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

1. The Parties shall complete a Rule 26(f) conference on or before April 27, 2021.

2. Plaintiff's time to file a response in opposition to Defendant Databricks's Motion to Dismiss the Amended Complaint is April 23, 2021, without prejudice to the right of any party to seek further adjustment to the briefing schedule based on future developments.

3. Defendant's time to file a reply in support of its above stated Motion is May 7, 2021, without prejudice to the right of any party to seek further adjustment to the briefing schedule based on future developments.

4. The Motion shall be set for hearing on June 24, 2020, at 2:00 p.m., or as soon thereafter as the matter may be heard at the above-entitled Court, located at the Oakland Federal District Courthouse, 1301 Clay Street, Courtroom 2, Fourth Floor, Oakland, California 94612.

5. Nothing herein shall be deemed to constitute a waiver of any rights, defenses, objections or any other application to any court that any party may have with respect to the claims set forth in the complaint filed in this Action.

DATED: March \_\_, 2021

\_\_\_\_\_  
Hon. Haywood S. Gilliam, Jr.  
United States District Judge